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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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July 15, 1999

Mr. Richard French
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Mr. Anthony Umek
Fluor Daniel Hanford, Inc.
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Ms. Mary Delozier
Lockheed Martin Hanford Corporation
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Richland, Washington 99352



Dear Messrs. French, Umek, and Ms. Delozier:

Re: Regulatory Requirements under Milestone M-32 and Approval of Request for
Deletion of M-32-08 and M-32-08-T01

On May 11, 1999, the Washington State Department of Ecology (Ecology) met with the U.S. Department of Energy (USDOE) and its contractors regarding current efforts in addressing issues associated with the aforementioned milestone.

We must endeavor to establish clarity and conformity in envisioning and striving to reach mutual goals and objectives. It is important to remember that the "TPA" is a Tri-Party Agreement, and involves cooperative and mutual "partnerships" amongst USDOE, Ecology, and the U.S. Environmental Protection Agency (EPA) all working in concert to reach common objectives.

In March 1999, Ecology received draft change control forms proposing the deletions of M-32-06 (T-01) and M-32-08 (T-01). Ecology has repeatedly denied these deletion requests for the reasons reiterated below.

However, during this elapsed time, Ecology is happy to announce that issues associated with the Grout Tanks (M-32-08) have been resolved, this serves as an example that communication can be effective and issue resolution is possible.

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Current M-32 Tank Waste Storage issues are summarized below and discussed in detail within the pertinent section of this letter:

1. M-32-04-T04: Transfer Facility Compliance Plan (including upgrade projects W314 and W211)
2. M-32-04-T05: Final Plan and Schedule for double shell tank (DST) Integrity Assessments
3. Change Control Form M-32-06 (244-AR Vault)
4. Planned Waste Transfers

**M-32-04-T04: Transfer Facility Compliance Plan
(including upgrade projects W314 and W211)**

Projects W-211 and W-314 were identified as the mechanisms for completion of many of the corrective actions identified in the *Transfer Facility Compliance Plan* (TFCP), WHC-SD-WM-EV-094, dated June 1994, including replacement of a majority of the DST transfer lines, among other things. Ecology advises USDOE to adequately address the following issues:

- Description of the transfer facilities (diversion boxes, valve pits, etc.) for both on-site and off-site waste transfers.
- Description of these systems as described in the TFCP requiring upgrades to meet regulatory requirements.
- Description of transfer system components that will be removed from service and schedule for removal/deactivation.
- Consideration of reasonable and appropriate regulatory mechanism(s) to achieve compliance, such as creation of major/interim milestones and/or compliance schedules in the DST Resource Conservation and Recovery Act (RCRA) permit to establish action due dates.

Follow through to completion of recommendations made regarding upgrade projects are crucial in ensuring successful facility operations.

Lastly, Ecology requests to be informed of the expected issue date of the revised TFCP. Will the issues identified above be addressed in the revised TFCP?

M-32-04-T05: Final Plan and Schedule for DST Integrity Assessments

USDOE submitted to Ecology a final plan and schedule for completion of DST Integrity Assessments in June 1994. This schedule established a completion date of September 30, 1999, regarding integrity assessments of all 28 DSTs, as well as pipelines, pits, and other ancillary equipment.

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Considering the role DSTs play in holding complex mixed waste and the recent questionable wall thinning issue associated with Tank AN-105, along with the fact that only less than one (1) percent of the tank surface area is being tested, Ecology does not consider ultrasonic testing of six (6) DSTs (out of 28) to be representative of tank integrity conditions. There is also a question of whether this limited scope fulfills tank permitting requirements. Even though the Tank Structural Integrity Panel (TSIP) concurred with integrity assessment of only six (6) DSTs, this recommendation was conditional. The *Tank Waste Remediation System (TWRS) Tank System Integrity Assessments Program Plan*, WHC-SD-WM-AP-017, dated June 1994, states on page iii; "Any findings of structural damage will enlarge the scope of such inspection." Page 15 states; "Should inspection reveal significant structural damage, other tanks will be added to the list for inspection." For this reason, Ecology does not consider ultrasonic testing of only six (6) DSTs (out of 28) to be representative of tank integrity conditions.

At the May 11, 1999, meeting, Mr. Mark Ramsey (USDOE) conveyed to Ecology that the September 30, 1999, DST Integrity Assessment goal date will be met by USDOE. Ecology letter dated May 19, 1997, is enclosed for your convenience regarding tank integrity assessment regulatory requirements.

Additionally, compliance to the pertinent sections of Washington Administrative Code (WAC) 173-303 needs to be a major consideration in the performance of adequate DST integrity assessments.

Draft Change Control M-32-06 (244-AR Vault)

Under the final change control form, dated June 21, 1999, USDOE states, "there are no future missions planned for this vault, the 244-AR Vault and associated tanks have been transferred to the dangerous waste Single-Shell Tank (SST) Part A Permit, Form 3." Since the scope of M-32 did not include SST units, USDOE states, "the 244-AR Vault will be addressed by TPA Milestone M-45-00."

Under M-45, the time frame for closure is essentially extended to the year 2024. Ecology's concerns are related to potential risks that may be posed to public health and the environment in the absence of interim measures to mitigate potential impacts from a release or other adverse event. This vault contains regulated liquid wastes. As a result, Ecology's concerns with USDOE's request for deletion of M-32-06 are as follows:

- What is the timetable for placing this vault in a safe storage configuration (i.e., removing liquids, isolating piping, installation intrusion protection and monitoring)?
- What will be the mechanism under which these actions will take place under M-45-00? Ecology recommends engaging in negotiations to establish interim milestones to achieve facility closure. Another avenue would be Ecology compliance inspections.

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- Even though this vault has not been used since 1978, there are no plans for future use and liquid wastes are still present; therefore, it is essentially a storage unit. From a regulatory standpoint, "storage" constitutes as "operable" until closed. What ramifications are incurred by this in regards to the *Site-Wide Permit*? It may be possible for interim measures to be included in the permit as a compliance condition; however, no operating permit currently exists for SSTs. Is this a viable option as a mechanism to ensure completion of necessary interim measures? It's important to remember that 173-303-610(4) calls for closure of a unit within three (3) months of last waste receipt.
- USDOE proposes that M-32-06-T01 also be deleted. As stated above, USDOE states there are no plans for future use, with the exception of DST transfer lines that penetrate the 244-AR Vault, which will continue to be used. This wording is misleading. It is Ecology's understanding that the lines that will be used are adjacent to or near the vicinity of the vault, but not within the vault. If so, please confirm. If not, how can this vault be considered "not in use" when transfer lines that penetrate the vault will be used? This seems contradictory.

Planned Waste Transfers

At the March 17, 1999, TWRS Project Manager Meeting, Ecology verbally requested a schedule of anticipated, planned, upcoming transfers. Ecology is pleased to announce the recent receipt of this information. Receipt of this information will now allow Ecology to proceed on further addressing M-32 issues as related to integrity assessments.

Again, I would like to reiterate that this letter addresses only Tank Waste Storage project issues.

Ecology looks forward to adding yet more success stories as a result of establishing clearly defined "forward paths" on these issues. Please feel free to contact me at (509) 736-5719 to discuss appropriate avenues to consider working towards resolution of these issues.

Sincerely,



Antonio Valero, TWRS Storage Project Manager
Nuclear Waste Program

AV:sb
Enclosure

cc: Doug Sherwood, EPA
Dana Bryson, USDOE
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Administrative Record: M-32